

AN ACT

ENTITLED, An Act to provide for the funding of educational programs for children in residential treatment centers, intensive residential treatment centers, or licensed group care centers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 13-28-11 be amended to read as follows:

13-28-11. If a child is residing in a residential treatment center or an intensive residential treatment center which provides care for children who are not living with their parents or guardian, the school residence of the child is the school district where the parents or guardian reside, subject to the provisions of § 13-28-9.

The school district where a residential treatment center or intensive residential treatment center is located is responsible for providing an educational program for the children who reside in the residential treatment center or intensive residential treatment center. Tuition for a child enrolled in a public school district is the responsibility of the school district where the child was enrolled at the time of placement. The amount of tuition paid by the resident school district for any child placed in a residential treatment center or intensive residential treatment center who is not eligible for special education services at the time of placement shall be calculated as follows:

- (1) Divide the current per student allocation as defined in subdivision 13-13-10.1(4) by one hundred seventy-five; and
- (2) Multiply the result obtained in subdivision (1) by the number of days the child is placed.

Section 2. That chapter 13-13 be amended by adding thereto a NEW SECTION to read as follows:

If a child is residing in a licensed group care center for minors which provides care for children who are not living with their parents or guardian, the school residence of the child is the school district where the parents or guardian reside, subject to the provisions of § 13-28-9.

The school district where a licensed group care center for minors is located is responsible for providing an educational program for the children who reside in the group care center.

Section 3. That chapter 13-13 be amended by adding thereto a NEW SECTION to read as follows:

A school district providing education for children in a residential treatment center or intensive residential treatment center shall receive an amount equal to the current year's per student allocation as defined in subdivision 13-13-10.1(4) multiplied by the average daily membership, in the prior school year, for residentially placed students attending each residential treatment center or intensive residential treatment center for whom tuition is paid by another school district pursuant to § 13-28-11.

Section 4. That § 13-13-83 be amended to read as follows:

13-13-83. The amount calculated in § 13-13-82 and in section 3 of this Act shall be distributed to an eligible school district in the same manner as other state aid payments are distributed pursuant to § 13-13-74 from funds appropriated in the general appropriations act for state aid to education.

An Act to provide for the funding of educational programs for children in residential treatment centers, intensive residential treatment centers, or licensed group care centers.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 158

\_\_\_\_\_  
Secretary of the Senate  
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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 158  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
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STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State